

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**VINCENT WILKERSON,**  
**Petitioner,**

**v.**

**BRIAN COLEMAN, et al.,**  
**Respondents.**

:  
:  
:  
:  
:  
:  
:  
:  
:

**Civ. No. 12-2190**

---

**ORDER**

**AND NOW**, this 4th day of February, 2015, upon consideration of the pleadings and record herein, and after careful review of Judge Strawbridge's Report and Recommendation (Doc. No. 33) and all related filings, it is hereby **ORDERED** that:

1. Petitioner's Motion to Dismiss Objections as Untimely (Doc. No. 46) is **DENIED**;
2. The Commonwealth's Objections to the Report and Recommendation (Doc. No. 43) are **OVERRULED**;
3. Magistrate Judge Strawbridge's Report and Recommendation (Doc. No. 33) is **APPROVED** and **ADOPTED**;
4. The Petition for Writ of Habeas Corpus is **GRANTED** as to Petitioner's aggravated assault conviction, unless the Commonwealth of Pennsylvania grants Petitioner a new trial as to that count or imposes a new sentence consistent with the accompanying Memorandum within 30 days of this Order;
5. The Petition for Writ of Habeas Corpus is **DENIED** as to Petitioner's other counts; and

6. The Clerk of Court shall mark this case closed for statistical purposes.

**AND IT IS SO ORDERED.**

*/s/ Paul S. Diamond*

---

Paul S. Diamond, J.